

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

In the Office Action mailed September 20, 2004, claims 21, 22, 24 and 25 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sekhar, and claims 21-35 were rejected under 35 U.S.C. § 102(e) as being anticipated by Farooq et al. Without acquiescing to the appropriateness of these rejections, and solely to further advance prosecution of this application, claims 21 and 26 have been amended so as to further limit the hydrogen storage metal material. In this regard, the subject matter of claim 23 has been incorporated into claim 21 and the subject matter of claim 29 has been incorporated into claim 26, except that "Pd" and "Ti" no longer form part of the Markush group.

These amendments are believed to be sufficient to obtain allowance of claims 21 and 26 because, in relying upon Sekhar to reject claims 21, 22, 24 and 25 "Ti" was said to correspond to the claimed hydrogen storage material, and in relying upon Farooq et al. to reject claims 21-35 "Pd" was said to correspond to the claimed hydrogen storage material. Because "Ti" and "Pd" are no longer claimed, and because each of the hydrogen storage materials as now recited claims 21 and 26 is not taught or suggested by Sekhar or Farooq et al., it is respectfully submitted that claims 21 and 26 are allowable over these references either taken alone or in combination.


Additionally, claims 23, 29 and 30 have been cancelled, whereby it is respectfully submitted that claims 21, 22, 24-28 and 31-35 should be allowed along with allowed claims 36-100.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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